



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 22, 2021

BY ECF

Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Ralph Nolan,
14 Cr. 555 (GBD)**

Dear Judge Daniels:

The Government attaches, for the Court's review and consideration, the Government's *nolle prosequi* in the above-captioned case, the basis for which is contained in the proposed order.

Respectfully,

AUDREY STRAUSS
United States Attorney

A handwritten signature in blue ink that reads "Dominic A. Gentile".

By:

Richard A. Cooper/Dominic A. Gentile/
Frank Balsamello
Assistant United States Attorneys
Tel. No.: (212) 637-1027/2567/2325

cc: Susan J. Walsh, Esq. (by ECF)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>NOLLE PROSEQUI</u>
-v.-	:	14 Cr. 555 (GBD)
RALPH NOLAN,	:	
Defendant.	:	

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1. The filing of this nolle prosequi will dispose of this case with respect to RALPH NOLAN, the defendant.

2. On or about August 21, 2014, a Grand Jury of the United States District Court for the Southern District of New York issued a one-count indictment charging RALPH NOLAN, the defendant, in three counts. Count One charged the defendant with conspiracy to commit Hobbs Act robbery, in violation of Title 18 United States Code, Section 1951. Count Two charged the defendant with attempted Hobbs Act robbery, in violation of Title 18 United States Code, Sections 1951 and 2. Count Three charged the defendant with brandishing a firearm during and in relation to a crime of violence, in violation of Title 18 United States Code, Sections 924(c)(1)(A)(ii) and 2.

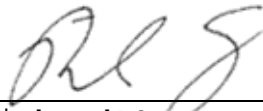
3. Following trial in April 2015, the defendant was convicted on all counts, and was subsequently sentenced to a

term of 36 months' imprisonment on Counts One and Two to run concurrently, followed by a term of 84 months' imprisonment on Count Three, to run consecutively.

4. The defendant appealed from his conviction and sentence. He also filed a motion to vacate his sentence pursuant to 28 U.S.C. § 2255, which the District Court denied. The defendant appealed that ruling as well. The United States Court of Appeals for the Second Circuit consolidated Nolan's appeals from his conviction and from the denial of the motion to vacate his sentence. The Court of Appeals vacated Nolan's convictions and remanded for further proceedings consistent with its opinion.

5. Based on a review of the evidence in the case and in light of the decision of the Court of Appeals, the Government has concluded that further prosecution of RALPH NOLAN, the defendant, would not be in the interests of justice.

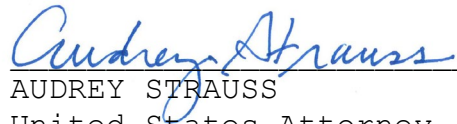
6. In light of the foregoing, I recommend that an order of nolle prosequi be filed as to RALPH NOLAN, the defendant, in the above-captioned matter.



Richard Cooper
Assistant United States Attorney
(212) 637-1027

Dated: New York, New York
March 18, 2021

Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be filed as to defendant RALPH NOLAN with respect to Indictment 14 Cr. 555(GBD).



AUDREY STRAUSS
United States Attorney
Southern District of New York

Dated: New York, New York
March 19, 2021

SO ORDERED:

HONORABLE GEORGE B. DANIELS
United States District Judge
Southern District of New York

Dated: New York, New York
March __, 2021